

**REMARKS**

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-14 and 17-20 are pending in this application. Claims 12, 14, and 17 are amended and claims 15-16 have been cancelled. No claims have been added. Claims 1, 11, and 12 are the independent claims.

**Rejections under 35 U.S.C. § 102**

**Claims 1-20 - Vayanos**

Claims 1-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Vayanos et al. (U.S. Patent Application No. 2002/0122400 A1, hereinafter Vayanos). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants submit that Vayanos discloses data streams being multiplexed by a multiplexer module into one data stream called the transport stream. Vayanos, pg. 3, paragraph [0028]. Each transport channel has a TTI (transmission time interval) and each TF (Transport Format) for the transport channel has the same TTI. Thus, the TTI of a TF corresponds to the TTI of the corresponding transport channel. Vayanos, pg. 3, paragraph [0037]. A TF for each transport channel is combined in a TFC (Transport Format Combination). A TFC is a combination of TFs, each TF corresponding to a transport channel. Vayanos, pg. 3, paragraph [0038]. The multiplexer module *selects the optimum TFC* to be transported over a physical channel (a set of allowable TFCs is received from the network). Vayanos, pg.3, paragraph [0033].

In other words, a TFC may include a combination of TFs having different TTIs (the TTI of a TF corresponds to the TTI of the corresponding transport channel). Thus, Vayanos does not

teach “multiplexing the generated transport channels on *a selected TTI basis* to form a composite transport channel, *the selected TTI being selected from one of the TTIs associated with the independently generated transport channels*” as recited in claim 1, claim 11, and amended claim 12.

Because Vayanos fails to disclose each and every feature of the claimed invention, Vayanos cannot anticipate or render the claimed invention as recited in independent claims 1, 11, and 12 obvious to one skilled in the art. Claims 2-10, 13-14, and 17-20, dependent on either independent claim 1, 11, or 12, are patentable for the reasons stated above with respect to claims 1, 11, and 12 as well as for their own merits. Claims 15-16 have been cancelled, thereby rendering the rejection to claims 15-16 moot.

Applicants, therefore, respectfully request that the rejection to claims 1-20 under 35 U.S.C. § 102(e) be withdrawn.

#### **Claims 1 and 11 - Kwak**

Claims 1 and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kwak et al. (U.S. Patent Application No. 2003/0076799 A1, hereinafter Kwak). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants submit that Kwak discloses created transport channels TrCHs being provided to a TrCH multiplexing part 311. The TrCH multiplexing part 311 multiples a plurality of the transport channels into one coded composite transport channel CCTrCH and provides its output to a physical channel segmentation part 312. Kwak, pg. 5, paragraph [0051] and Figure 3. However, nowhere in Kwak is there disclosed “multiplexing the generated transport channels on a selected TTI basis to form a composite transport channel, the selected TTI being selected from one of the TTIs associated with the independently generated transport channels” as recited in

independent claims 1 and 11. Applicants respectfully request that the Examiner particularly points out where the afore-mentioned feature is disclosed in Kwak in the next Office communication if this rejection is not withdrawn.

Accordingly, because Kwak fails to disclose each and every feature of the claimed invention, Kwak cannot anticipate or render the claimed invention as recited in independent claims 1 and 11 obvious to one skilled in the art.

Applicants, therefore, respectfully request that the rejection to claims 1 and 11 under 35 U.S.C. § 102(e) be withdrawn.

**CONCLUSION**

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

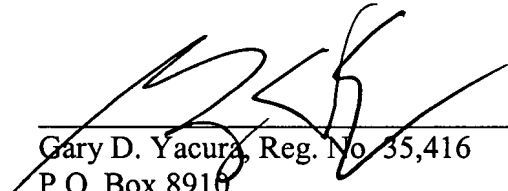
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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